

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

SHAVONDA HAWKINS, on behalf of
herself and all others similarly situated,
Plaintiff,
v.
THE KROGER COMPANY,
Defendant.

Case No.: 15-cv-2320-JM-AHG

ORDER:

**(1) SETTING BRIEFING
SCHEDULE; and**

**(2) SETTING TELEPHONIC
STATUS CONFERENCE**

Pursuant to the Court's discussion with the parties during the Telephonic Status Conference on October 9, 2019, the Court hereby sets the following deadlines for the parties' joint motion regarding their discovery dispute:

- (1) Defendant must serve a proposed joint motion on Plaintiff by **October 16, 2019**;
- (2) Plaintiff must serve her edits to the proposed joint motion on Defendant by **October 23, 2019**;
- (3) The joint motion must be filed by **October 28, 2019**. The additional five days is built into the schedule to allow for further meet-and-confer efforts. If either party makes changes to the joint motion after October 23, they shall make a good faith effort to provide those changes 24 hours before the deadline to file

1 the joint motion.

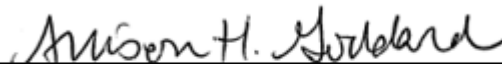
2 Each party's portion of the joint motion must be no longer than five pages,
3 excluding exhibits.

4 Further, Defendant has still not produced additional documents to Plaintiff beyond
5 the seventeen documents produced on July 26, 2019, in direct contravention of the
6 previously assigned Magistrate Judge's Order granting Plaintiff's Motion to Compel
7 Defendant to respond to Plaintiff's Requests for Production Nos. 1, 2, 4, 5, 6, 7, 8, 10, 11,
8 14, 15, 18, 20, 24 and 25 in whole and Request for Production No. 3 in part, issuing
9 sanctions for non-compliance, and setting a deadline to serve its compelled responsive
10 documents. Judge Major's Order clearly required responses to document requests by
11 October 7, 2019. *See* ECF No. 72 at 33-34. Fed. R. Civ. P. 34 does not provide for a
12 "rolling production" of documents and Defendant has not sought leave of Court to
13 engage in such a production.

14 Counsel for Defendant represents that Defendant is in the process of reviewing its
15 own documents in addition to awaiting documents from third-party suppliers but
16 anticipates being able to produce the documents by the end of October. In order to
17 monitor Defendant's progress in making the required (and now belated) productions, the
18 Court sets another Telephonic Status Conference for **October 28, 2019** at **2 PM**. Counsel
19 must call the chambers teleconference line at **1-877-873-8018** and use **8367902** as the
20 access code to join the conference.

21 **IT IS SO ORDERED.**

22 Dated: October 10, 2019

23 
24 Honorable Allison H. Goddard
25 United States Magistrate Judge
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